

## MICHIGAN NATURAL RESOURCES TRUST FUND

## BOARD OF TRUSTEES MEETING

Minutes of August 17, 2005  
Clarion Hotel and Conference Center, 3600 Dunckel Drive, Lansing  
9:00 AM

The meeting of the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees commenced at 9:00 AM.

The following Board members were present:

Bob Garner  
Steven Hamp  
Lana Pollack  
Frank Torre  
Sam Washington

Also in attendance were various staff members of the Department of Natural Resources (DNR) and other interested parties.

I. ADOPTION OF MINUTES FOR MEETING OF JUNE 15, 2005.

Chairperson Washington called for the adoption of the June 15, 2005 Board meeting minutes.

**MOVED BY MR. TORRE, SUPPORTED BY MR. HAMP, TO APPROVE THE MINUTES OF THE JUNE 15, 2005 MNRTF BOARD MEETING. PASSED.**

II. ADOPTION OF AGENDA FOR MEETING OF AUGUST 17, 2005.

**MOVED BY MR. HAMP, SUPPORTED BY MR. TORRE, TO APPROVE THE AGENDA FOR THE AUGUST 17, 2005 MNRTF BOARD MEETING. PASSED.**

III. PUBLIC APPEARANCES.

Ms. Lois Robbins, North Oakland Headwaters Land Conservancy Board Member/Phase II Educator – 05-110, Brandon Township Nature Preserve Acquisition, Brandon Township.

Ms. Lois Robbins, North Oakland Headwaters Land Conservancy Board Member/Phase II Educator, made a PowerPoint presentation in support of 05-110, Brandon Township Nature Preserve Acquisition. This acquisition would involve acquiring 80 acres of wooded area with 29 acres of wetland. She introduced members of her team that were in the audience.

Ms. Robbins advised the Board that this acquisition is a first priority of the Michigan Natural Features Inventory. The property contains headwaters to Kearsley Creek, which is a designated trout stream, and headwaters to the Flint River and Saginaw Bay, which is an area of concern. Kearsley Creek is one of two designated trout streams in Oakland County and offers fishery and wildlife habitat, and other wetland services.

The township needs a park for passive recreation. This property would provide for excellent wildlife habitat. In addition, it would help meet the Environmental Protection Act Phase II Stormwater Management requirements. Also, the property offers unique educational opportunities.

Ms. Robbins pointed out the location of the property via maps. It is adjacent to three schools in the township. There is a subdivision next to the property. This is the reason that hunting will not be allowed. The adjacent property is owned by the school district. The township has spoken with the superintendent of schools about creating a headwaters protection plan for the area. Development of the plan would involve a three-way partnership between the township, schools and the North Oakland Headwaters Land Conservancy.

Possible passive recreation and education opportunities for the nature preserve would be:

- Fishing
- Walking trails with potential greenways links
- Wildlife viewing
- Outdoor classrooms and living laboratory with proximity to three Brandon schools

The nature preserve would also be used by other schools in the region, 4-H groups, scouts and adults.

Ms. Robbins further stated that the role of the North Oakland Headwaters Land Conservancy is to partner with Brandon Township and the Brandon School District to develop the property for passive recreation and wildlife protection and to help develop a headwaters protection plan, and to be a partner with the Brandon School District to develop outdoor classrooms. The Land Conservancy would hold a conservation easement on the property and partner with Brandon Township for stewardship of it.

The cost of the project is \$905,160, with \$600,000 being requested from the MNRTF. A millage for the purchase of recreation properties has failed three times. Ms. Pollack asked when the last millage was turned down. Ms. Robbins responded 1998.

Ms. Robbins stated that project developments to date include:

- A resolution of support by the township board
- Contact with the owners, who are willing sellers and are being approached by developers frequently
- Presentation to the school board and superintendent
- An appraisal has been done on the property
- Ground inventory
- Preliminary site development plan
- Preliminary project and fund-raising plan has been developed and sent to owners
- Revisions to Brandon recreation plan, incorporating the Brandon Township Nature Preserve
- A public hearing on the recreation plan has been held

Chairperson Washington asked who owns the property between number 15 on the map and the proposed project. Ms. Robbins responded that is also owned by the same owners. That property is zoned for commercial development. Chairperson Washington stated that it appears to be a wetland. Ms. Robbins responded that a lot of it is and the developer and the owners

have asked that a conservation easement be put on that buffer once the property is purchased. The developer is open to that idea. That will increase the conservation value of the adjacent property. Chairperson Washington inquired if the township was anticipating a developed area between the road and the proposed property. Ms. Robbins responded that it will be developed on M-15, but there will be buffer conservation easements placed on that area next to the creek that goes through the property.

Mr. Hamp asked what the seller's time table was for selling the property. A member of Ms. Robbins' team responded that this property became available through an estate. It has been in the owners' family for three generations. There are two brothers and a sister involved. They are interested in having a conservation easement on all of the property. The owners have talked to a number of developers, but would like to see the 80 acres protected. There are about 20 acres along M-15 of which approximately 10 acres are developable.

Ms. Mindy Koch, Resource Management Deputy, DNR – Presentation of DNR Applications.

Ms. Mindy Koch, Resource Management Deputy for DNR, provided an overview and PowerPoint presentation of the DNR applications submitted for possible funding. She outlined the review process and how the DNR chose the projects that are being presented. DNR Field staff identifies projects of interest that are for sale and uses established criteria to determine if the property would be appropriate for state ownership. The information on the property is provided to the central office for the DNR division to determine if they are high priority for the division.

There are three primary land managing divisions: Forest, Mineral and Fire Management, Parks and Recreation and Wildlife. Fisheries Division looks at water access and resource protection issues for habitat concerns. There are approximately 350 applications in the land managing divisions waiting for the opportunity for purchase or other exchange. The DNR also receives nominations to purchase properties from individuals, as well as land exchanges.

Ms. Koch stated that 17 acquisition and 9 development applications have been submitted by the DNR for possible funding. These are the DNR's highest priorities from applications in the land managing divisions. Land managing Division Chiefs, their staff and Ms. Koch meet to prioritize the applications in tiers (Tier 1 and 2). Tier 1 projects are of the highest priority, and Tier 2 of a lesser priority.

The criteria that the Division Chiefs use to determine priority is at a different level. The original criteria used is based on natural resource protection, public use, sensitive features, and providing public access. A critical point in prioritizing a project is looking at what the Board's priorities are. Sensitive features and critical habitat issues are reviewed. Providing public access for water activities is a high priority for the DNR. Acquiring landlocked parcels are also a high priority to increase public access.

Ms. Koch further stated that the DNR feels it is important to leverage funding as much as possible. For example, at times there are opportunities to use federal funding for some projects. Staff also looks at creativity and how to spend less money to obtain public access and to provide resource protection. If there are opportunities for conservation easements, these would be considered in the ranking.

Development projects have additional criteria that might enhance their priority. The DNR is

looking at safety concerns, and many of the development applications submitted to safety concerns on currently owned sites.

At this time, Ms. Koch outlined the development applications. Tier 1 development applications are as follows:

05-153 – Tricentennial State Park and Harbor, Parks and Recreation – This is for the development of 1500 feet of pedestrian trail along the Detroit Riverfront. This is a phased project with a total project cost of \$2.4 million. The DNR is asking for \$500,000 from the MNRTF, and partnering with private and federal funding for the remainder.

05-151 – State Park Camper Cabins, Parks and Recreation – This is for the development of camper cabins at various State Parks. Camper cabins have been a success to entice nontraditional outdoor users to the State Parks. The cabins are revenue-generating and return happens very quickly. The request from the MNRTF is \$375,600.

05-152, State Park Playgrounds, Parks and Recreation – This is for the development of new playgrounds in Muskegon, Grand Haven and Wells State Parks. This would replace obsolete playground equipment. The request from the MNRTF is \$321,700.

05-146, Pontiac Lake Shooting Range Fencing Project, Law Enforcement – This is for the development of a safety fence around the shooting range. This range is heavily used by the public, as well as for the Hunter Safety Education program. The request from the MNRTF is \$206,000.

05-144, Bald Mountain Recreation Area Shooting Range Drive, Law Enforcement – This is for the development of a shooting range access road and parking lot at the Bald Mountain range. This would provide safety from property damage for range users and provide barrier-free access to the range. This range is also heavily used by the public, as well as for the Hunter Safety Education program. The request from the MNRTF is \$41,200. \_

05-143, Campground Access Improvements, Forest, Mineral and Fire Management – This is for the Phase 2 access improvements in State Forest campgrounds. Pickerel Lake and Tomahawk Creek are the two units where the division would like to provide upgrades for access improvements. The division has been consistently upgrading the campgrounds to be handicapped-accessible and to meet all standards. Phase 1 of the project has been completed. The request from the MNRTF is \$500,000.

Tier 2 development applications are as follows:

05-131, UP Pocket Park Resource Center Completion – Office of Communications

05-145, Ortonville Shooting Range – Law Enforcement

05-150, Hamlin Lake Dam Restoration – Parks and Recreation

The total Tier 1 development applications request is \$1,944,000.

Ms. Koch proceeded to outline the Tier 1 acquisition applications. Tier 1 acquisition applications are as follows:

05-149, Various Park Acquisitions, Parks and Recreation – This is the division's lump sum request. The original request from the MNRTF was for \$2.5 million and is being modified to

\$1.7 million. The division would like to utilize lump sum funds for acquisitions for Craig Lake, Fisherman's Island, Hoeft, Porcupine Mountain and Traverse City State Parks.

05-156, Russell Lake Winter Deer Habitat Acquisition, Wildlife – This is for the acquisition of 1,339 acres, of which 90 percent is mapped as deeryard. It is surrounded on three sides by State Forests. In addition, the property contains Russell Lake, Russell Creek and one-half mile of Lake St. Helen frontage. This acquisition would provide excellent wildlife benefits and hunting, as well as consolidate the State Forest boundary. It would also protect the headwaters of Lake St. Helen. The request from the MNRTF is \$1,820,000.

Mr. Garner asked Ms. Koch if she knew who the landowner was. Mr. Scott Whitcomb, Wildlife Division, responded it was Charleton Heston's son. Chairperson Washington stated that there are several people interested in purchasing this property.

05-136, State Trailways Initiative, Forest, Mineral and Fire Management – This is for the lump sum request for the State Trailways program. The division has identified corridors that are for sale. The original request from the MNRTF was \$4 million and is being modified to \$2 million.

Ms. Koch also mentioned the DNR recently lost a Supreme Court case on trail ownership in the Upper Peninsula (Carmody-Lahti). The court ruled that the state had acquired an easement for that system. The easement that had been owned by the seller was extinguished at the time of rail abandonment before selling to the state. The DNR is going to be very cautious when acquiring trail properties and will be working with the Attorney General's office to assure that the state obtains good title to all the trails.

Mr. Garner asked what county the case started out in. Ms. Koch responded it was in Houghton County. Ms. Pollack asked Ms. Koch to further clarify the ruling. Ms. Koch responded the basic ruling was the DNR had purchased an easement and it was only for rail purposes. Once the rail was abandoned, and there was a conclusion that it was properly abandoned, then those easement rights had been extinguished before the DNR had actually purchased the easement.

05-133, Kamehameha Schools Land Project, Forest, Mineral and Fire Management – This is a phased project for the acquisition of a working forest conservation easement of up to 390,000 acres that provides development rights and public access. The MNRTF Board has approved \$10 million at this point. The DNR has begun the purchase of the easements. There are a series of six easements, and the DNR has just received the approval from DNR's Director to purchase the second easement, and the third easement is being worked on at the present time. The DNR is requesting \$3 million from the MNRTF for this phase, and will be asking for another \$3 million in the next round of funding, which will complete the MNRTF funding requests.

Ms. Koch further stated that the DNR has a request in to the federal government for \$10 million for Forest Legacy funding. This funding will be phased as well. There also have been private donations for the project.

05-132, CMS Arcadia/Green Point Dunes, Forest, Mineral and Fire Management – This is the final phase (Phase 3) of this project which is acquisition of a conservation easement on 1,850 acres that will provide development rights and public access. The DNR is requesting \$2,675,000 from the MNRTF for this final phase.

05-141, Lee Grande Ranch Conservation Easement, Forest, Mineral and Fire Management – This is the final phase of a two-phased project to acquire a conservation easement on 2,560 acres that will provide development rights and public access. The DNR is requesting

\$2,750,000 from the MNRTF for this final phase.

05-140, Flowing Well Property, Forest, Mineral and Fire Management – This is for the acquisition of a conservation easement on 1,720 acres which would provide public access, as well as development and timber rights. The request from the MNRTF is \$3,500,000.

Ms. Koch mentioned that this property has a former fish hatchery on it that the state has been anxious to clean up. It was the DNR's understanding that the hatchery, which was privately owned, had whirling disease. Mr. Garner wondered if the DNR had any rights to go in and clean up the area, as this disease could be a threat to the public's health. Ms. Koch did not know specifically, however, regulation of these types of operations is not within the jurisdiction of the DNR.

Mr. Hamp asked what this project would be for. Ms. Koch responded it would be to purchase a conservation easement on the property, which would exclude development on it and allow public access. The DNR wants to obtain the timber rights so it could be managed. In addition, the DNR is looking to decommission the fish hatchery. The DNR is not looking for conservation easements that do not provide public access rights. Mr. Hamp wondered if, with purchase of the conservation easement, the DNR would have control of the fish hatchery. Ms. Koch responded it was her understanding that the DNR would be controlling the decommission of the hatchery.

Ms. Pollack asked about costs associated with public access. Ms. Koch responded that there is no user pay system for these properties. Ms. Pollack feels that townships or other municipalities that are given state money for their projects and then charge fees for public access is a negative. She feels the Board should establish some policy on this issue. She understands the state's user fees.

Mr. Garner asked if acquiring this property via a conservation easement rather than in fee simple is the property taxes consequence. Ms. Koch responded that it is, in part. Conservation easements are good for some properties, whether it is a tax issue or not. The tax issue has elevated the DNR's review of conservation easements.

05-142, Bear River Parcel Conservation Easement, Forest, Mineral and Fire Management – This is for the acquisition of a conservation easement on 225 acres which would provide public access, as well as development and timber rights. Little Traverse Conservancy is designated as the fee holder. This is an inholding within the Pere Marquette State Forest and contains over one mile of Bear River frontage. The request from the MNRTF is \$280,000.

The total Tier 1 acquisition applications request, with reductions identified, is \$15,905,000. The DNR is being very conservative with lump sum requests. Divisions are not seeking funds on an annual basis, but rather rotating requests.

Corrections were identified to be made on the PowerPoint presentation on lump sum projects' total requests. These included 05-134, Fisheries Area Consolidation Lump Sum (total request \$750,000), 05-154 (Wildlife Area Consolidation Lump Sum (total request \$2,000,000) and 05-155, Winter Deer Habitat Initiative (total request \$2,000,000).

Ms. Koch identified the Tier 2 applications. These are still high priority projects, but using the criteria that was previously outlined, staff prioritized between Tier 1 and 2 projects.

Tier 2 acquisition applications are as follows:

05-134, Fisheries Area Consolidation Lump Sum – Fisheries  
 05-135, Thunder Bay River Corridor – Fisheries  
 05-137, Mackinaw City to Petoskey Trail Gap Acquisition – Forest, Mineral and Fire Management  
 05-138, Pigeon River Frontage Parcel – Forest, Mineral and Fire Management  
 05-139, State Forest Land Consolidation Initiative – Forest, Mineral and Fire Management  
 05-147, Lighthouse West Property – Parks and Recreation  
 05-148, Grand Mere/Kalamazoo Nature Center Acquisition – Parks and Recreation  
 05-154, Wildlife Area Consolidation Lump Sum – Wildlife  
 05-155, Winter Deer Habitat Initiative – Wildlife

Chairperson Washington had some additional concerns regarding the former fish hatchery on the Flowing Well property (05-140) that put whirling disease in the river. Mr. Steve Sutton from Fisheries Division responded that the fish hatchery has not been in operation for a number of years and no longer poses a hazard for whirling disease. Chairperson Washington asked if this was a Manistee feeder. Mr. Sutton responded yes.

Mr. Hamp asked if just by removing the fish that the potential for the disease is still there. Mr. Sutton responded yes, the area still needs to be cleaned.

Ms. Pollack asked about the application of Parks and Recreation to add cabins (05-151). She wondered what fund the revenue from the rentals goes into. Ms. Koch responded the fees remain with Parks and Recreation Division and go into the camping fees fund. Chairperson Washington asked if the request was for one site. Ms. Koch responded that this request is for development of 16 cabins (two per district) at various state parks.

Ms. Koch wished to express her thanks to DNR staff for all their hard work on acquisition projects, land exchanges, sales, and purchases, as well as trespass issues on state land. She stated that there are 1600 known trespasses in the state forests. There is one DNR staff person who deals with all of these trespass problems.

Mr. Steve Arwood, Executive Director, Heart of the Lakes.

Mr. Steve Arwood, Executive Director of Heart of the Lakes, provided the Board with materials regarding the Heart of the Lakes organization. This organization continues to grow. One of the projects that the organization is working on this summer is reviewing all local units of government millages that deal with parks and recreation, open space, green space, and PDR from 2004 to 2005 and analyzing the information and talking to officials for the best way to pursue the general array of green space.

Chairperson Washington asked how the Clinton County park acquisition was coming along. Mr. Arwood responded that it looks like the county is close to having all the purchase agreements done and going on with the planning. Mr. Garner commented for the audience that Clinton County is one of the counties who did not have a parks system. A year ago the county was granted a MNRTF acquisition grant towards the land purchase.

Mr. Dennis Keiser, Supervisor, Bear Creek Township – 05-063, Walloon Lake Access.

Mr. Dennis Keiser, Supervisor of Bear Creek Township, made a presentation in support of 05-063, Walloon Lake Access, an acquisition project submitted by the township. This project is

being resubmitted from last year for possible funding.

Last year, Mr. Keiser identified a more site-specific plan, which included a pavilion with deck, bathhouse, caretaker's house, maintenance building and paved parking area. Even though the township's application was not successful, they were encouraged to resubmit their application this year. The Walloon Lake Association, who is in opposition to the township's acquisition project, was also encouraged to assist in finding an alternate site for public access. To date, no alternate site has been located other than state-owned property, which a public hearing will be held this month (August 31, 2005) in Boyne City. From phone calls Mr. Keiser has received, there is expected to be opposition to the state's site, as this is a larger site.

It is the feeling of some residents of the lake that it would be better to have two or three smaller access sites rather than a large one. The state's site does not meet the needs of Bear Creek Township's recreation plan as the township's project is based on.

Mr. Keiser made a comment on the preliminary evaluation scoring of the project, in particular, the Financial Need of the Applicant. The project received "0" points for this criteria, because of ranking in the top third per capita of income in the state. The township is in a rich, resort area, but that is the problem. This access site would be for the locals and general public.

Ms. Pollack asked what the population of the township was. Mr. Keiser responded 5,269. Ms. Pollack asked if most of the members of the Walloon Lake Association are township voters. Mr. Keiser responded that most are from outside of the area.

Chairperson Washington asked if the Bear Creek Township Board officials were 100 percent behind this project. Mr. Keiser responded they were. The township has the financial capabilities of the match for this grant (25 percent from the landowner and a \$375,000 from the Casino Revenue Sharing Board and \$150,000-175,000 from the township). Chairperson Washington asked if the local residents were behind the project. Mr. Keiser responded yes. Chairperson Washington stated that he feels no matter who develops public access on the lake, there will opposition. He has absolutely no problem with approving projects for public access on this lake.

Mr. Garner provided some background information on the Walloon Lake public access issues. The claims made last year were there were plenty of access areas on the lake. Mr. Garner and Ms. Deborah Apostol of Grants Management, DNR, toured all of the claimed access sites. Most of them are road ends and many have signs indicating "15-Minute Parking." Ms. Pollack asked who puts up the signs. Mr. Garner responded road commissions or townships. Ms. Pollack asked Mr. Keiser if Bear Creek Township had put up any signs. Mr. Keiser responded no. Mr. Garner added that the township's proposed project has about the best road ending which provides public access.

Mr. Garner asked DNR staff if they had been hearing any opposition or pre-comments being made on the state's public access site. Ms. Koch provided the Board with some preliminary information. The State of Michigan, managed by DNR's Forest, Mineral and Fire Management Division, has 140 acres on Walloon Lake which had a rustic boat launch for small boats and was open for camping purposes. The DNR eventually ordered the area to be closed to camping. At that time, all items related to the boat launch were taken out. With the proposed revitalization of this access site, the DNR would be providing 25 parking spaces. This area is also designated as a potential old growth area, so we do not want to disturb the entire site. Old growth does not mean not managed; we are looking at potentially doing some harvesting.



Ms. Koch has seen several pieces of correspondence and emails from citizens who are very upset that the state is proposing to open this public access site, and it may relate to the former camping there. The DNR is not looking at allowing dispersed camping at this site. There is a Director's Order prohibiting this. Some of the Waterways Commissioners have received phone calls or mail in opposition to the site. One DNR staff member received an extremely disturbing piece of correspondence in opposition to the site. In addition, township officials may also receive correspondence in opposition to the state's site.

Ms. Pollack asked Ms. Koch about the size of the public access site. Ms. Koch responded that the state's property is 140 acres; Bear Creek Township's proposed project is 3 acres. The DNR is moving forward with preliminary work to see the type of engineering that is needed for the site. The DNR will hold a public hearing on August 31st. Staff has had a preliminary meeting with residents who were leaving the area before August 31 and had requested information. There is also another public meeting scheduled for after the Memorial Day weekend.

Chairperson Washington added that the DNR's public access site would be paid for with Waterways funds. Ms. Koch also added that there is tremendous support from the Waterways Commission to move forward with this project.

Mr. Tom Woiwode, Director, Community Foundation GreenWays Initiative – 05-153, Tricentennial State Park and Harbor, Parks and Recreation Division, DNR.

Mr. Tom Woiwode, Director of the GreenWays Initiative, made a presentation in support of 05-153, Tricentennial State Park and Harbor, submitted by the DNR's Parks and Recreation Division. He pointed out to the Board that the east riverfront along the Detroit River is in the developmental stages, which includes 3-1/2 miles of riverfront and will transform the City of Detroit.

Mr. Woiwode further stated that a couple of cement silos will be demolished and construction for several segments of the east riverfront riverwalk will begin sometime this month or next. The location of Tricentennial State Park and the pedestrian pathways are critical to this 3-1/2-mile link.

Mr. Woiwode advised the Board that the Community Foundation GreenWays Initiative has awarded approximately \$2.5 million towards the riverfront project. Last year, the MNRTF Board approved a \$393,000 grant to the City of Detroit for the Dequindre Cut project, which in fact ties to the Tricentennial State Park. The GreenWays Initiative also invested \$1 million in that project as well. Development for that project will take place later this fall and early next spring.

The pedestrian trail for Tricentennial State Park is a critical and invaluable part of the redevelopment of the riverfront properties. Mr. Woiwode strongly urged the MNRTF Board's support for the Tricentennial State Park and Harbor project submitted by the DNR.

Mr. Woiwode also wished to express his appreciation to Mr. Jim Wood, Manager, Grants Management, DNR and his staff. Mr. Wood and members of his staff recently attended the GreenWays Initiative's Biennial Funders Workshop, which is a gathering of public funding sources that can be used for conservation purposes. Ten different funder sources and 140 people attended. Mr. Wood and some of his staff attended representing the MNRTF. The workshop was a success, and the GreenWays Initiative appreciates Mr. Wood and his staff's participation.

Mr. Hamp stated that he agrees with Mr. Woiwode's comments on the Tricentennial State Park. This is a magnificent project and very important one. Mr. Woiwode suggested that the Board think about having a late fall or early spring MNRTF Board meeting at the park in Detroit to view this project. Mr. Garner did not think there was a room large enough at the park to hold the meeting. He further stated that this project is a "pearl" amongst the old factories and development. Mr. Woiwode suggested the Omni Hotel or Stroh Riverplace, which have meeting facilities and are located along the river. He stated that he would be happy to help with arrangements.

Mr. Hamp further emphasized that this project is a perfect example of providing public access of a scale where it was literally impossible to anticipate.

#### IV. OLD BUSINESS

##### 2005 Application Review – August 1 Applications.

Mr. Wood advised the Board that there were a total of 148 applications received for possible MNRTF funding by the April 1<sup>st</sup> deadline. Staff has conducted preliminary evaluations of these applications. Applicants have been contacted with staff's comments and will have an opportunity to provide supplemental information.

On August 1<sup>st</sup>, Grants Management received an additional 12 acquisition applications as part of the secondary acquisition application deadline. These applications totaled approximately \$9.5 million. Information on these 12 acquisition applications has been provided to the Board. They will be evaluated according to the same criteria as applications received April 1<sup>st</sup>. Because of the timing of the receipt of these applications, applicants will not be afforded the opportunity to receive feedback.

All applications will be scored and included in the Board's final ranking of projects.

##### Proposed Change in Date for December 2005 Meeting – **December 6, 2005.**

Mr. Wood outlined the proposed change in the date of the December 2005 Board meeting to December 6, 2005 due to a scheduling conflict of Mr. Hamp's.

Mr. Garner stated that last year the Board met the evening before the December Board meeting for a quasi-explanation of the proposed projects. He personally did not feel it was fruitful, but others in attendance did. He suggested perhaps the Board may want to hold another evening meeting the night before the December meeting to discuss projects.

Chairperson Washington suggested that this be discussed further at the Board's October 19<sup>th</sup> meeting. He felt the evening meeting was worthwhile. This is a public meeting and no final decisions are made. Mr. Garner further stated that the evening meeting provided applicants an additional chance to make public comments in support of their project. He felt it made applicants feel better about the decision-making process.

**MOVED BY MR. GARNER, SUPPORTED BY MR. TORRE, TO CHANGE THE DECEMBER BOARD MEETING DATE FROM WEDNESDAY, DECEMBER 7, 2005, TO TUESDAY, DECEMBER 6, 2005. PASSED.**

TF00-312, Clinton River Trail, City of Rochester – **PROJECT CONVERSION** and TF02-043, Clinton River Trail, City of Rochester (development project) – **PROJECT CHANGE** – Tabled from June 15, 2005 Meeting. \_

Chairperson Washington stated that he had visited the City of Rochester's Clinton River Trail site seeking a project conversion and change. In addition, Mr. Wood and other staff had visited this site.

Chairperson Washington asked if anyone in the audience was opposed to the project conversion and change identified. There was no response from the audience.

At this point, Mr. Kenneth Johnson, City Manager for the City of Rochester, outlined some issues that had been raised at the Board's meeting in June. Chairperson Washington asked if the choice comes down to a trail that will run between two apartment complexes or a trail that will run down along the river with the development only on the north side of it. Mr. Johnson responded yes. Chairperson Washington further asked that what this really is is an option between having essentially a nature route where everywhere you look would be a building, or a route that you would go down where development would only be on one side and the other side would be the river and natural area. Mr. Johnson responded yes.

Ms. Pollack asked if this was just for a small portion of the area. Mr. Johnson responded yes. He did not recall the exact length; however it actually will be extended as it follows the water course.

Mr. Johnson pointed out various aspects of the conversion via a map. Discussion ensued on conversion.

Mr. Johnson stated that in terms of the experience for the trail user, the city feels very strongly that it would improve the trail with the conversion. Currently, there are only three places where you are close to the Clinton River on the trail. This will enhance the beauty and enjoyment of the river.

Mr. Garner stated that it was the concern of the people opposing this conversion that part of the trail system might be washed out. He feels the trail looks better with the city's proposal than going between buildings.

Ms. Pollack asked if the major concern of the opposition was density or the trail itself. Are there other issues that the Board is being asked to consider? Is it they do not like the project or they do not like the placement of the trail. Mr. Johnson responded that during discussion at the Board meeting on June 15<sup>th</sup>, Ms. Alice Tomboulion addressed the Board. She was concerned about the future protection of the trail because of the high velocities in the Clinton River. The city is aware of this fact.

Mr. Johnson further stated that he worked very closely with Ms. Tomboulion, who was the railway coordinator for the Paint Creek Trailway. The Paint Creek Trailway runs through the city's municipal park. There were a number of areas where the Paint Creek Trailway makes abrupt changes because it was going to wash out part of the city's pathways, many of which that had been in place for 20 years or longer. The city is aware of the fact that they will need to work with DNR's Fisheries Division in order to get a permit for bank stabilization, as well as submitting this to the Department of Environmental Quality.

Mr. Johnson also stated that some people in opposition to the conversion feel that the density is too high. The Planning Commission conducted four public meetings. They approved a special exception to allow the residential condominiums, as this area is actually zoned industrial, both light and heavy. In addition, the site plan was approved, including the conversion.

Ms. Pollack asked if the four public meetings were held since the June MNRTF Board meeting. Mr. Johnson responded they were held in 2004. Ms. Pollack wished to draw the Board's attention to the letter from received from Ms. Tomboulia, which was provided in the "Correspondence" portion of the Board materials. In this letter, Ms. Tomboulia references the requirement of at least one publicly-announced local hearing on conversions. Ms. Pollack would like this issue of public hearings brought up for Board discussion at another time.

Ms. Pollack asked how often the trail is likely to be flooded and inaccessible. Mr. Johnson responded that he would anticipate that it would be very infrequent, probably not more than one or two times a year. Since the discussion at the June Board meeting, he has worked with the developer and he has developed an alternate route for the trail user if it was under water. He identified this route via a map.

Ms. Pollack referenced the Planning Commission's minutes from their first meeting. In the minutes it indicates that the plan includes a proposed bridge over the Clinton River and the proposed pathway, with more detail being needed how residents would gain access to the trailway. She wondered if there was a question about access other than what Mr. Johnson had responded to earlier. Mr. Johnson responded that at the first meeting of the Planning Commission, that was to be a private bridge for the condominium owners. There is open space on the south side of the Clinton River that was not part of the exchange. Because of various concerns, this was not likely to be approved.

Ms. Pollack asked if there has been any consideration by the city to ask for a bond that would require the developer to be financially responsible should something occur. Mr. Johnson responded that as part of the city's engineering design standards, the developer will be required to provide a two-year maintenance guarantee bond on any part of the project.

Mr. Hamp responded that at the June Board meeting, Mr. Dan Keifer, who was in opposition to the conversion stated that if Fisheries Division is required to engineer the stream bank stabilization, his group would be in favor of the proposal. Mr. Hamp asked if the city has contacted DNR's Fisheries Division regarding bank stabilization. Mr. Johnson responded that it is yet to be done, but will do so in the future. The city has a good working relationship with Mr. Keifer. Staff from Fisheries Division has walked the site with the city's parks superintendent. Fisheries Division and the Department of Environmental Quality look very closely at bank stabilization.

**MOVED BY MR. GARNER, SUPPORTED BY MR. TORRE, TO APPROVE THE  
CONVERSION AND PROJECT CHANGE FOR TF00-312, CLINTON RIVER TRAIL  
ACQUISITION AND TF02-043, CLINTON RIVER TRAIL DEVELOPMENT, CITY  
OF ROCHESTER, TO REROUTE THE CLINTON RIVER TRAIL AS PROPOSED**

**BY MEANS OF EXCHANGING A PORTION OF THE FORMER RAILROAD CORRIDOR WITH A PARCEL OF LAND THAT WILL MAINTAIN A CONTINUOUS ROUTE, WITH THE FOLLOWING CONTINGENCIES:**

- 1. THE CITY DOES NOT PROCEED WITH THE PROPERTY EXCHANGE UNTIL:**
  - A) THE COMPANY HAS RECEIVED ALL NECESSARY PERMITS, ETC. FOR THE DEVELOPMENT;**
  - B) THE COMPANY HAS INDICATED TO THE CITY THAT THE DEVELOPMENT WILL GO FORWARD; AND**
  - C) THE CITY HAS OBTAINED ALL PERMITS NECESSARY TO CONSTRUCT THE PROPOSED REROUTED SECTION OF THE TRAIL.**
- 2. THE CITY AND THE DEVELOPER COORDINATE WITH DNR FISHERIES DIVISION ON THE STREAM BANK STABILIZATION AND THE REVEGETATION OF THE STREAM BANK. WRITTEN COMMUNICATION THAT CONCURRENCE HAS BEEN REACHED SHOULD BE RECEIVED BY DNR, GRANTS MANAGEMENT BEFORE THE WORK COMMENCES.**
- 3. THE EXISTING TRAIL WILL NOT BE DISRUPTED UNTIL DEVELOPMENT OF THE REROUTE IS COMPLETED.**
- 4. LANDSCAPING OF THE TRAIL WILL CONSIST OF NATIVE VEGETATION PLANTINGS, AS INDICATED ON THE EXHIBITS C1, D1 AND D2.**

**PASSED.**

**V. NEW BUSINESS.**

**TF02-096, Finish Line Park, Township of AuSable – PROJECT WITHDRAWAL**

Mr. Wood stated that at the Board's June meeting, a project change was approved for TF02-096, Finish Line Park, AuSable Township. Unfortunately, the landowner is asking for more money than fair market value for the property. The township feels they cannot proceed with the extra amount of money being requested by the owner, and have asked to withdraw the project.

**MOVED BY MR. GARNER, SUPPORTED BY MS. POLLACK, TO ACCEPT THE WITHDRAWAL OF TF02-096, FINISH LINE PARK, AUSABLE TOWNSHIP.**  
**PASSED.**

**VI. STATUS REPORTS.**

**DNR Real Estate Report.**

Mr. Wood outlined the DNR Real Estate report which identifies several acquisitions that have recently been completed by DNR.

Ms. Pollack stated that the maps included in the report clearly identify where the project is located. She would like to see maps for other projects identified in this manner.

Chairperson Washington asked if staff had received a formal request on the Alpena property, the (North Point Property). Mr. Robert Couvreur, Office of Land and Facilities, responded that staff has received some information, but no formal request. Mr. Garner added that there was some probing done by a State Representative for the area. Ms. Koch provided some additional comments. A meeting was put together late last week that included the owner of the property as well as The Nature Conservancy. Ms. Koch attended the meeting representing the DNR. In addition, there were several federal agencies in attendance. A tour was conducted of the property. The owner is interested in seeing someone purchase the property to conserve it, as well as provide recreation opportunities. The township or county is not interested in acquiring or managing this property. Officials from the township and county were not represented at the meeting. Local people in attendance advised Ms. Koch that they are trying to spur interest for the property for recreation uses. There is ongoing discussion regarding acquisition at the state and federal levels, as well as the Conservancy.

#### Local Projects Completion Report.

Mr. Wood advised the Board that one acquisition (TF02-220, Boardman Nature Education Reserve Expansion, Garfield Township) and one development (TF01-082, Saginaw Valley Rail Trail, Saginaw County) had been completed since the Board's June meeting.

#### Financial Report.

Mr. Wood outlined the Financial report. The figures are estimates at this time, but very strong estimates as far as the amount of funds that will be available for projects.

Ms. Pollack asked about the line indicating "Acquisition (Recovery – State Fair)" and wondered what that was for. Mr. Wood responded that in 2004 the State of Michigan sold some property that was associated with the State Fairgrounds in Detroit. According to law, when the state sells property that was purchased with MNRTF, the money received in the sale reverts back to the MNRTF.

Chairperson Washington stated that the MNRTF is expecting an influx of approximately \$5 million over the normal amount of funding because of the increase in oil and gas revenues.

#### Lump Sum Report.

Mr. Wood outlined the Lump Sum report. This is a report generated based on the amount of money that actually has been withdrawn from the accounts. There are a lot of properties that have been optioned, but would not necessarily be indicated on this report.

#### VII. OTHER MATTERS AS ARE PROPERLY BROUGHT BEFORE THE BOARD.

Mr. Garner mentioned that the Board does not have a Vice-Chairperson at this time. He nominated Ms. Pollack to serve in this capacity.

**MOVED BY MR. GARNER TO APPOINT MS. POLLACK AS VICE-CHAIRPERSON  
OF THE MICHIGAN NATURAL RESOURCES TRUST FUND BOARD OF  
TRUSTEES. PASSED.**

#### VIII. ANNOUNCEMENTS.

The next meeting of the Michigan Natural Resources Trust Fund Board is scheduled for 9:00 AM, Wednesday, October 19, 2005, Holiday Inn Express, 2187 University Park Drive, Okemos, Michigan.

IX. ADJOURNMENT.

**MOVED BY MR. GARNER, SUPPORTED BY MR. HAMP, TO ADJOURN THE MEETING. PASSED.**

The meeting was adjourned at 11:07 AM.

\_\_\_\_\_  
Sam Washington, Chairperson  
Michigan Natural Resources Trust Fund  
Board of Trustees

\_\_\_\_\_  
James Wood, Manager  
Grants Management

\_\_\_\_\_  
DATE